

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al. Art Unit : 1633
Serial No. : 09/909,460 Examiner : Maria B. Marvich
Filed : July 18, 2001 Conf. No. : 1198
Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated December 1, 2008, finally rejecting claims 1, 4, 52, 63-69 and 85-113.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including June 1, 2009 is enclosed.

A check in the amount of \$270 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 08191-0014002.

Respectfully submitted,

Date:May 29, 2009

/Jack Brennan/

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CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: May 29, 2009